

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

GARY A. FITZGERALD,	)	
	)	Case No. 4:06CV3195
	)	
Plaintiff,	)	
	)	
v.	)	ORDER
	)	
JO ANNE B. BARNHART,	)	
COMMISSIONER OF THE SOCIAL	)	
SECURITY ADMINISTRATION,	)	
	)	
Defendant.	)	

This matter is before the Court on its own motion. This is an action for judicial review of a final decision of the Secretary of Health and Human Services. Jurisdiction of this Court is pursuant to 42 U.S.C. § 405 (g).

The Court notes that an answer and certified copy of the transcript of the records have been filed. Accordingly, this matter is ready for decision, and the parties will be granted time to file supporting briefs.

IT IS ORDERED:

1) Plaintiff shall file a brief within thirty (30) days from the date of this order;

2) Defendant shall respond within thirty (30) days thereafter.

DATED this 8<sup>th</sup> day of January, 2007.

BY THE COURT:

s/ Lyle E. Strom  
United States District Judge